
USE OF TERM “ORGANIC” ON WINE LABELS
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BACKGROUND

In 1990 Congress passed the Organic Food Act. The United States Department of Agriculture (USDA) was charged with drafting the implementing regulations. USDA established an advisory board, the National Organic Standards Board (NOSB), to consider issues, collect data, conduct research and ultimately develop regulatory requirements. Although final regulations were mandated by October 1993, to date only one notice of proposed rule-making has been published. That notice related only to livestock.

The Organic Food Act includes fermented beverages. ATF, therefore initiated and has maintained contact with USDA. ATF has attended several USDA/NOSB meetings and has provided input on the production of beverage alcohol products, particularly wine.

CURRENT STATUS

Section 105(e) of the Federal Alcohol Administration Act (FAA Act), authorizes ATF to issue regulations intended to prevent deception of the consumer, and to provide the consumer with adequate information as to the identity of beverage alcohol, including wine. There are currently no regulations specifically authorizing the use of the phrase “organic” on wine labels. Furthermore, there is no “organic wine” designation currently defined in the regulations which provide standards of identity for wine. However, regulations provide that wine labels may contain information other than

the mandatory information as long as the additional information is truthful, accurate and specific, and which is neither disparaging of a competitor’s products nor misleading.

Despite the absence of specific regulations, ATF does not prohibit organic claims on beverage alcohol labels. These claims are considered additional truthful information, providing the claims are documented. Acceptable documentation for organic claims is certification by an accredited or recognized certifying agency of State or foreign government. When seeking ATF label approval, a copy of the “organic” certificate should be submitted to ATF’s Product Compliance Branch along with ATF Form 5100.31, Application for and Certificate of Label Approval.

For New York wines, a certificate issued by the Northeast Organic Farming Association (NOFA) is acceptable to ATF for the purposes of organic labeling claims. The Washington State Department of Agriculture issues “Organic Food Producers’ Certificates” in that State. In California, ATF has received and accepted certifications from county agricultural commissioners, California State Department of health Services, California Department of Food and Agriculture and the California Certified Organic Farmers (CCOF), a private certifying agency.

Most organic claims relate to the commodity from which the beverage is made, e.g., “organically grown grapes.” ATF does not, however, allow designation of the finished

products as organic, for example, “organic red wine” or “organic Seyval blanc.”

In rare instances, ATF has permitted the description of wine as “organically produced” and beer as “organically brewed.” There has been only one winery, Hallcrest Vineyards, dba The Organic Wine Works, of Felton, California, which has been certified to make this claim. This approval was based on documentation that the California Department of Health Services, Food and Drug Branch, made a thorough inspection of the winery’s raw materials, production methods, and records and determined that Hallcrest Vineyards, dba The Organic Wine Works, purchased organically grown grapes and processed them into wine in compliance with the California Organic Food Act of 1990.

As necessary, ATF verifies the acceptability of the certifying body with USDA. USDA maintains a list of recognized U.S. and international certifying authorities

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